

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

Bayonne, New Jersey; Clifton, New Jersey; Clinton,
New Jersey; Elizabeth, New Jersey; Madison
Borough, New Jersey; Paramus, New Jersey;
Parippsany-Troy Hills Township, New Jersey

Plaintiff

Case Number 22-cv-09519

vs.

McKinsey & Company, Inc., McKinsey
Holdings, Inc., McKinsey & Company, Inc.
United States, and McKinsey & Company,
Inc. Washington D.C.

Defendant

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

Anita Whigham, individually, and on behalf
of her minor son, J.C.

Plaintiff

Case Number

vs.

1:21-cv-05328-VSB

McKinsey & Company, Inc.

Defendant

Status of Earlier Filed Case:



Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)



Open

(If so, set forth procedural status and summarize any court rulings.)

On July 6, 2021, the Earlier Filed Case was transferred to In re: McKinsey & Company, Inc., National Prescription Opiate Consultant Litigation (MDL No. 2996), pending in the United States District Court for the Northern District of California (Breyer, J.).

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

The newly filed case and the earlier filed case involve the same transactions and events, and have substantial factual overlap. Broadly speaking, plaintiffs in both actions allege claims arising from consulting work that McKinsey performed for Purdue Pharma L.P. relating to the marketing and sales of opioids manufactured by Purdue. Although the earlier filed case is now part of MDL 2996 in the Northern District of California, it was transferred there solely for pretrial coordination and remains subject to retransfer to Judge Broderick for trial (or other purposes determined by the JPML). Therefore, absent assignment of the newly filed case to Judge Broderick, multiple related cases will potentially be referred back to multiple SDNY judges during or at the conclusion of MDL proceedings.

Signature: /s/ James L. Bernard

Date: 11/7/2022

Stroock & Stroock & Lavan LLP

Firm: _____